

CR15-00707-PHX-SRB

JAMES HENDERSON

2-26-16

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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United States of America,	)	
	)	
Plaintiff,	)	
	)	CR15-00707-PHX-SRB
vs.	)	Phoenix, Arizona
	)	February 26, 2016
Abdul Malik Abdul Kareem,	)	
	)	
Defendant.	)	
	)	
	)	

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BEFORE: THE HONORABLE SUSAN R. BOLTON, JUDGE  
EXCERPT OF REPORTER'S TRANSCRIPT OF PROCEEDINGS  
JURY TRIAL - DAY #8  
TESTIMONY: JAMES HENDERSON

**APPEARANCES:**

**For the Government:**

U.S. ATTORNEY'S OFFICE  
By: **Kristen Brook, Esq.**  
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**For the Defendant Abdul Malik Abdul Kareem:**

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E X C E R P T O F P R O C E E D I N G S

THE CLERK: Please state your name for the record and spell your last name.

THE WITNESS: James Richard Henderson.  
H-E-N-D-E-R-S-O-N.

THE COURT: You may proceed, Ms. Brook.

MS. BROOK: Thank you.

**JAMES RICHARD HENDERSON, WITNESS, SWORN**

**DIRECT EXAMINATION**

BY MS. BROOK:

Q Good morning.

A Good morning.

Q Would you please introduce yourself to the jury.

A I'm sorry?

Q What's your name?

A James Richard Henderson.

Q And, Mr. Henderson, where do you work?

A I work for the PMC Ammunition.

Q And where do you live?

A In Houston, Texas.

Q Your job with PMC Ammunition, is it based there out of Houston, Texas?

A Well, I travel the whole United States, but, yes, I'm based out of Houston.

Q What is your exact title with PMC Ammunition?

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1 A I am Director of Sales and Marketing.

2 Q And how many years have you been the Director of Sales and  
3 Marketing?

4 A Three years.

5 Q Before that, were you also employed by PMC Ammunition?

6 A Yes, I was.

7 Q And what did you do then?

8 A I was -- did sales and did any work where anybody had a  
9 question about the ammunition. I was the person to go to to  
10 find what the answers were.

11 Q For how many years did you do that?

12 A I did that for four years prior.

13 Q And prior to that, what did you do?

14 A I was a salesman for another ammunition company in the  
15 United States.

16 Q How many years did you work for them?

17 A Fifteen years for them.

18 Q All right. I want to speak, specifically, about PMC  
19 ammunition and we're going to focus in on 38 Special PMC  
20 Bronze ammunition. Where is it manufactured?

21 A It's manufactured in South Korea.

22 Q And does that include the 38 Special Bronze?

23 A Yes.

24 Q When they're manufactured, are they stamped with a number?

25 A Yes. Every lot of ammunition manufactured is given a lot

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1 number so we can track it in case there's a problem or  
2 somebody has a question about it.

3 Q Okay. And so when it's stamped with that lot number,  
4 whereabouts is the ammunition stamped with that number?

5 A The box that the ammunition is placed in is stamped with  
6 that number.

7 Q And is it stamped in Korea or is it stamped here in the  
8 United States?

9 A It's stamped in Korea.

10 Q When the lot that has the same number, the exact same lot  
11 number is produced in Korea and stamped, is that whole lot  
12 shipped together?

13 A Yes, it is.

14 Q I want to speak specifically about lot No. --

15 One second.

16 -- 38G1071.

17 Do you know when that specific lot number of 38  
18 Special PMC Bronze ammunition was shipped and arrived here in  
19 the United States?

20 A It was April 11th. It arrived around April 11th of 2014.  
21 It did not clear Customs till April 14th.

22 Q And whereabouts was that batch shipped to in the United  
23 States?

24 A It was shipped to Long Beach, California.

25 Q So from Korea to Long Beach. And then once the batch

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1 arrived in Long Beach, was any of that ammunition shipped  
2 directly to the State of Arizona?

3 A No, ma'am.

4 Q Do you know which states it was shipped to?

5 A Yes.

6 Q Can you tell us?

7 A Oh, let's see. It was shipped to Tennessee, Illinois,  
8 Utah, Kansas, Nevada, Montana, and Nebraska.

9 Q Can you describe for us what a "battle pack" is?

10 A A battle pack is a plastic vinyl sleeve that we -- or PMC  
11 came up with the name. And we use it to put ammunition in so  
12 it's very highly water resistant and keeps the ammunition from  
13 being damaged or anything. It's just one of our packaging  
14 options.

15 Q And what color are the battle packs that the 38 Special  
16 PMC come in?

17 A Sand or light tan.

18 Q And approximately -- or how many boxes of PMC ammunition  
19 go into one battle pack?

20 A In 38 Special we put six in a battle pack.

21 MS. BROOK: Your Honor, may I please approach the  
22 witness with already-admitted Exhibit No. 23 and 29 from the  
23 Garland crime scene?

24 THE COURT: Yes.

25 BY MS. BROOK:

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1 Q In looking at Exhibit No. 23, which is the one you have  
2 your right hand on, do you see one of those battle packs that  
3 you were just speaking about?

4 A Yes, I do.

5 Q And now turning your attention to 29 which is the other  
6 exhibit, that one there, can you look at that and read for us  
7 what the lot number is from that particular box?

8 A 38G1071.

9 Q And is that the same lot number that we have been speaking  
10 about shipped from Korea to Long Beach and then distributed to  
11 seven states but not Arizona?

12 A Yes. That is correct.

13 MS. BROOK: May I approach with two more exhibits?

14 THE COURT: Yes.

15 MS. BROOK: It's going to be 84 -- so 84 --  
16 already-admitted Government's 84 from Simpson and Soofi's  
17 apartment and already-admitted 118 from the defendant's house.  
18 BY MS. BROOK:

19 Q You spoke a minute ago about boxes and you said,  
20 specifically, six boxes of ammunition go into each battle  
21 pack.

22 Can you hold up for us and just display maybe through  
23 Exhibit No. -- well 84 or whichever -- exactly what is a box?

24 A Okay. A box of ammunition is like so. There's 50 rounds  
25 in a box. They're put in a cardboard box sleeve.

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1 Q And so six of those would go into a battle pack?

2 A Yes.

3 Q We've talked about Exhibit No. 29. You read for us the  
4 lot number.

5 Can you just reference for us Exhibit No. 84 and 118  
6 and tell us if those lots numbers are the same as the one that  
7 you read previously?

8 A Yes. They are both the same.

9 Q You spoke a moment ago about one shipment all having a  
10 unique lot number.

11 Other shipments of 38 Special Bronze PMC ammunition  
12 produced in Korea by your company and shipped to the United  
13 States, do they all have a separate and unique lot number?

14 A Yes. They do.

15 Q And in any given year, approximately how many rounds or  
16 bullets of 38 Special PMC Bronze ammunition does your company  
17 produce in Korea and bring to the United States?

18 A Yeah. We produce two to three million rounds and ship to  
19 the United States.

20 THE COURT: Just of 38 Special rounds?

21 THE WITNESS: Just the 38 Special. Yes.

22 MS. BROOK: May I have a moment?

23 THE COURT: Yes.

24 BY MS. BROOK:

25 Q Now, I want to go back to the battle pack quickly.

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1           So that battle pack that we looked at, the battle  
2           packs that were shipped with this particular lot number, was  
3           this lot number only exclusively produced in the battle packs?

4           A    Yes.

5           Q    So they weren't shipped and sold individually by boxes?

6           A    No.  They were all shipped by battle pack.

7           Q    How many battle packs of this specific lot number were  
8           produced and shipped in total?

9           A    Ten thousand -- let's see.  10,530 boxes.  It would be  
10          1,735 battle packs.

11          Q    Okay.  So 1,755 or 35?

12          A    Fifty-five.

13          Q    Fifty-five battle packs.

14          A    Yes.

15               MS. BROOK:  In total of this specific lot number.

16               I don't have any other questions.  Thank you.

17               THE COURT:  Mr. Maynard?

18               MR. MAYNARD:  No questions.

19               THE COURT:  May Mr. Henderson be excused?

20               MS. BROOK:  Yes.  Thank you, Your Honor.

21               MR. MAYNARD:  No objection.

22               THE COURT:  Mr. Henderson, thank you very much, sir.

23               You may step down and you are excused as a witness.

24               The government may call its next witness.

25               (End of Excerpt of Proceedings.)



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## C E R T I F I C A T E

I, ELIZABETH A. LEMKE, do hereby certify that I am duly appointed and qualified to act as Official Court Reporter for the United States District Court for the District of Arizona.

I FURTHER CERTIFY that the foregoing pages constitute a full, true, and accurate transcript of all of that portion of the proceedings contained herein, had in the above-entitled cause on the date specified therein, and that said transcript was prepared under my direction and control.

DATED at Phoenix, Arizona, this 7th day of March, 2016.

s/Elizabeth A. Lemke  
ELIZABETH A. LEMKE, RDR, CRR, CPE